

MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY JANUARY 25, 1999 AT 8:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Garrard R. Beeney, Trustee
Sheila M. Attai, Trustee
Richard M. Livingston, Trustee
Robert H. Pouch, Trustee
Stephen A. McCabe, Village Administrator
Lawrence S. Schopfer, Clerk-Treasurer
Robert M. Bauer, Supt. of Public Works
Daniel Raimondo, Police Lieutenant

The meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Trustee Attai made a motion to approve the minutes of the regular meeting of the Village Board held on January 4, 1999. Trustee Beeney seconded the motion and it was unanimously approved with Trustees Livingston and Pouch abstaining from the vote.

Mayor Flood read communications from Edward Berenson & Catherine Johnson regarding Osceola Avenue; Robert K. Massie regarding the Marriott proposal; and Sharon Brennen regarding James Brennen. A copy of each communication is attached hereto as a part of these minutes.

Mayor Flood requested a motion appointing Marjorie Rosenfeld to the Town Hall Theater Commission for a term to expire in April 1999. Trustee Pouch made such a motion. Trustee Attai seconded the motion and it was unanimously approved.

Mayor Flood requested a motion appointing Jonathan Siegel to the Architectural Review Board for a term to expire in April 1999. Trustee Pouch made such a motion. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood provided some background on the agreement that was signed recently regarding sewer remediation. He requested a motion to ratify the Village Administrator's execution of an order on consent between the Department of Environmental Facilities of the County of Westchester, State of New York, and the Village of Irvington (Case Number COW-SSES-10-98) with respect to sewers remediation. Trustee Pouch made such a motion. Trustee Attai seconded the motion and it was unanimously approved.

Mayor Flood discussed the use of water from the Croton Aqueduct. In connection with that, he requested a motion authorizing the Village Administrator to execute a stipulation between the Village of Irvington and the New York State Department of Health regarding the implementation of the Federal Safe Drinking Water Act and the State Sanitary Code "Surface Water Treatment Rule." Trustee Pouch made such a motion subject to review of the stipulation by the Village Attorney. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood provided some background on the request by Bell Atlantic to assign its Mountain Road cellular antenna lease with the Village. He requested a motion to approve the assignment of the lease dated November 1, 1993, between the Village of Irvington and New York SMSA Limited Partnership, as amended by Modification, dated May 28, 1997, for cellular antenna facilities at the Mountain Road water tank to a joint venture consisting of Bell Atlantic Mobile and Crown Castle International Corp., subject to review and approval of the Village Attorney. Trustee Livingston made such a motion. Trustee Attai seconded the motion and it was unanimously approved.

Village Administrator provided an update on the status of Marriott Senior Living Services Inc.'s petition for a zoning change to allow construction of a senior citizens assisted living facility at the site of the Murray-Griffin Estate on South Broadway. He discussed the status of the SEQRA process and the upcoming process.

Village Administrator recommended the firm of Frederick P. Clark Associates of Rye to provide certain services in connection with the Marriott proposal. Mayor Flood requested a motion to retain the firm of Frederick P. Clark Associates to provide planning, zoning, and environmental services in connection with the review of the Marriott Senior Living Services, Inc. zoning petition in accordance with the requirements

of the State Environmental Quality Review Act (SEQRA). The fees associated with such review are estimated to be in the range of \$50,000 to \$55,000, plus expenses, and shall be paid from an escrow fund to be established by Marriott Senior Living Services, Inc. in accordance with SEQRA. All fees shall be charged at the current billing rates listed in a fee schedule dated June 23, 1998. Trustee Attai made such a motion. Trustee Pouch seconded the motion and it was unanimously approved.

Robert Massie questioned the Board's position on the Marriott proposal. Lee Olesky also discussed the Marriott proposal. Peter Hurtwitz questioned the impact of a zoning change. Mayor Flood and Trustee Beeney discussed the issues raised.

Mayor Flood requested a motion to set the hours and location of polling for the upcoming Village Election to be held March 16, 1999 as follows:

The Board of Trustees of the Village of Irvington hereby declares that the polls will be open between the hours of 6:00 a.m. and 9:00 p.m. on March 16, 1999 for the purposes of conducting the Village Election. The polling places for each district shall be as follows:

<u>District #</u>	<u>Location</u>
8	Irvington Recreation Center, 71 Main Street
9	Village Hall, 85 Main Street
10	Immaculate Conception Church, North Broadway
11	Ardsley-on-Hudson Railroad Station
60	Immaculate Conception Church, North Broadway
79	Ardsley-on-Hudson Railroad Station

Trustee Attai made such a motion. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Livingston discussed recent activities in the Town Hall Theater, including the future purchase of new chairs and a new sign on Main Street. He also discussed the completion of Fire Department physicals and the 1998 Police Report.

Trustee Attai discussed the high activity level in the Building department including the progress on the sale of homes in Legend Hollow. She also discussed DPW activities, including the recent storms and the 1998 Solid Waste Report. Trustee Attai also announced that a private citizen had offered to clean up Hastings Park.

Trustee Pouch reviewed the Recreation Department activities, including the planning for upcoming Spring and Summer programs. He also provided a report on the Senior Citizens program. Trustee Pouch discussed Water Department news such as a series of water main breaks on Hudson Road and their subsequent repair.

Trustee Beeney indicated that he had met with new members of the ARB recently to discuss possible legislation changes. He also discussed the status of the Library project, indicating that construction was proceeding on schedule and on budget.

Steve McCabe announced that he first attended a Village Board meeting in the capacity of Village Administrator exactly 10 years ago.

Trustee Beeney made a motion to adjourn to executive session to take up a personnel and litigation matter. Trustee Pouch seconded the motion and it was unanimously approved.

Upon reconvening from executive session, there being no further business to conduct, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer